



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO
ONE FINANCIAL CENTER
BOSTON, MA 02111

MAILED

NOV 23 2010

PCT LEGAL ADMINISTRATION

In re Application of	:	
VERGNAULT et al	:	
Application No.: 10/554,258	:	DECISION ON PETITION
Filing Date: April 23, 2004	:	UNDER 37 CFR 1.78(a)(3)
Attorney Docket No.: 28069-618-NATL	:	

This is a decision on the petition under 37 CFR 1.78(a)(3), filed October 14, 2010, to accept an unintentionally delayed claim for the benefit of priority to the prior-filed international application set forth in the amendment filed concurrently with the instant petition.

The petition is **DISMISSED**.

The present application is the national stage of international application number PCT/IB2004/001702. Because the present application 10/554,258 is merely a different stage of international application number PCT/IB2004/001702 and not a different application, a claim of benefit under 35 U.S.C. 120 to the international application would not be appropriate. Applicant is advised that there is no requirement that a national stage make reference to the international application upon which it is based in the first sentence of the specification or in an application data sheet. Applicant is further advised that a proper claim for foreign priority based on United Kingdom application number 0309343.2 was made in the international stage in accordance with 37 CFR 1.55(a)(1)(ii).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Bryan Lin

Bryan Lin
Legal Examiner
Office of PCT Legal Administration